**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,

    Plaintiffs,

    vs.

JOHN H. MERRILL, et al.,

    Defendants.

No. 2:21-cv-01530-AMM

Supplemental Remedial Report III of Baodong Liu, Ph.D.
September 14, 2023

I have been asked by Counsel for the Plaintiffs to express my opinion on the effectiveness of the three Moriarty Plans submitted to the special master on September 14, 2023. This report summarizes the results of my Effective Analysis (EA).

My EA is based on the eleven biracial elections between 2014 and 2022. These eleven elections are all state-wide and general elections: the 2014 Secretary of State, the 2014 Lt. Governor, the 2014 State Auditor, the 2018 Lt. Governor, the 2018 State Auditor, the 2018 Public Service Commission (Place 1), the 2022 Gubernatorial, the 2022 US Senate, the 2022 Secretary of State, the 2022 Attorney General, and the 2022 Alabama Supreme Court Associate Justice (Place 5) elections. This report examines how the Moriarty Plans perform in these eleven elections in Congressional Districts ("CD") 1, 3 and 7.

My conclusion is that voting is highly racially polarized in all Moriarty plans analyzed in this report with Black voters voting from 89% to 97% for Black candidates, and white candidates receiving approximately 79% to 92% of the white vote in the eleven elections analyzed.

I am being compensated at $300 per hour for my work in this report. My compensation is not contingent on or affected by the substance of my opinions or the outcomes of this litigation.

Method and Data Used in this Report

As in my prior reports and the original remedy report for this case executed on July 28, 2023, the method I used for the estimates of racial group voting and turnout is called Ecological Inference (EI) developed by Harvard Professor Gary King. This report continues to use the same EI method and the EI R-software to calculate the racial groups' vote choice in the 11 elections with respect to the plan analyzed. Furthermore, this Supplemental EA report, just like my original EA report continues to report the findings concerning the exact percentage of votes cast for each candidate based on the tally of the votes in the 11 elections with respect to the three plans. The data acquisition, processing and aggregation of this report is also the same process used in writing my preliminary report (see Appendix of my preliminary report).

Effectiveness of the Moriarty Plans

I analyzed CD1, CD3 and CD7 of the Moriarty plans. Unfortunately, I did not have enough time to compile the RPV tables for each plan. However, in CD1 of all three Moriarty plans, Black preferred candidates (BPCs) lost all 11 elections. In CD3, BPCs lost all 11 elections in Moriarty #3, and lost three elections (2022 Governor, 2022 U.S. Senate, and 2022 Attorney General) in Moriarty #1 and #2. In CD7, BPCs lost four elections in Moriarty #1 (2022 Governor, 2014 Lt. Governor, 2014 Secretary of State, and 2014 State Auditor), lost one election in Moriarty #2 (2014 Secretary of State), and lost zero biracial elections in Moriarty #3. The details regarding the average vote cast for BPCs and white preferred candidates (WPCs) in all 11 elections have been computed and can be provided upon request.

* * *

To the best of my knowledge, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 14, 2023.

_____
BAODONG LIU, PH.D.

2